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May 8, 2007

REPORT OF THE COMMITTEE
ON LEGISLATIVE MATTERS

The Committee on Legislative Matters convened on May 8, 2007 with Chairman Thomas Taylor presiding and Committee Members Aldermen Rebekah Gewirtz, William Roche, Dennis Sullivan and Robert Trane also present and voting. Also present were Aldermen Maryann Heuston, Bruce Desmond and Walter Pero as well as Solicitor John Gannon and Matthew Buckley from the Law Office, Election Commissioner Nicholas Salerno, Michael Lambert from the Mayor's Office, Ron Boney, Meghann Ackerman from the Somerville Journal and Stephen Mackey from the Chamber of Commerce.

Smoking Amendment:

Dr. Johnathan Wittecoff addressed the members about the hazards presented to young children and animals by discarded cigarette butts found at the city's parks, saying that it is a common occurrence for young children to pick them up and put them in their mouths, thereby exposing themselves to potentially harmful contaminants and bodily fluids. Alderman Roche agreed that cigarette butts shouldn't be discarded in the parks and suggested that the problem stems not from parents or spectators watching activities at the park, but rather from the groups of youth congregating at the parks at night. Alderman Roche believes that smokers are more responsible and courteous than years ago, taking care not to disturb others while smoking. Amending the smoking ordinance is not the solution and he believes that the key is to have better police enforcement to keep the youths out of the parks at night as well as having the DPW clean the parks more frequently. Alderman Gewirtz said that the proposed amendment would add public parks to the ordinance and although the existing signs are helpful and most smokers police themselves, she feels that the amendment is worthwhile. Alderman Taylor agreed but asked how the city would deal with someone who wants to smoke at a game.

Election Schedule:

Commissioner Salerno reviewed 3 election schedules with the committee and explained the directive governing special elections, as stated in the city's charter. He stated that a charter change would be needed to appoint a runner up to fill a vacancy on the Board of Aldermen. As the charter only states that the Board set a date forthwith, with no time frame dictated, Commissioner Salerno recommended that, in the future, an election be held within 90 days.

Alderman Roche reiterated his stance that all elections were scheduled in a timely manner and that there was no lack of representation at any time. Alderman Pero said that the Board of Aldermen failed to act in forthwith manner, but doesn't believe that the charter needs to be changed. He suggested that the Board take care to prevent this from happening again. Both Alderman Gewirtz agreed.

Planning Board

At the present time, the Planning Board is comprised of 5 permanent members and no alternates, The proposed change would add 2 permanent and 2 alternate members, bringing the total to 9 members. Mr. Lambert told the members that the Administration feels that adding just the 2 alternates might solve the problem. Mr. Gannon told the committee that because of various membership conflicts, it is sometimes difficult to obtain a vote and that by adding the alternates, these problems could be avoided. Additionally, the addition of 2 alternate members would give the Planning Board more depth and diversity.

Chairman Taylor's motion to amend the request to just add the 2 alternates was approved.

The committee discussed matters before it and took action on the following 4 items:

182370: Order - By Ald. Gewirtz, That the City Solicitor prepare a revision to Ordinance 6-3 with regard to smoking in parks.

RECOMMENDATION: Should be approved

VOTE: Roll Call vote, 3 - 2 in favor

182509: Communication from Mayor - Requesting approval of an amendment to Ordinances 2-231 and 2-24(c)(5) relative to the composition of the Planning Board.

RECOMMENDATION: Should be approved as amended (2 alternates only)

VOTE: Unanimous, 5 - 0 in favor

182673: Ordinance - By Ald. White, Establishing the method by which the dates for a special election shall be determined.

RECOMMENDATION: Should be placed on file

VOTE: 4 - 1 in favor (Ald. Gewirtz voted no)

183185: Communication - Board of Election Chairman submitting 3 proposed Election Calendars for the 2007 Fall Municipal Elections.

RECOMMENDATION: Should be approved (Calendar #3 approved)

VOTE: Unanimous, 5 - 0 in favor

Alderman Thomas F. Taylor, Chairman
Committee on Legislative Matters

COMMITTEE REPORT

Report of the Committee on Legislative Matters,
May 8, 2007

In Board of Aldermen

Clerk